

## CHAPTER 1 ADMINISTRATION

[Prior to 2/24/88, see Agriculture Department, 30—Chapter 1]

### **21—1.1(159) Organization.**

**1.1(1)** “*Department*” means the department of agriculture and land stewardship.

**1.1(2)** “*Secretary*” means the secretary of agriculture who is the head of the department.

**1.1(3)** The deputy secretary of agriculture advises the secretary and has the statutory authority to perform any of the duties required or authorized of the secretary in the secretary’s absence or through explicit directions or tacit consent.

**1.1(4)** The department is organized into six branches known as the administrative division, the agricultural marketing division, the agricultural planning and policy division, the laboratory division, the regulatory division, and the soil conservation division. Each division is headed by a division director. The directors assist the secretary in the implementation of the secretary’s policies within the various bureaus and units assigned to that division, assist the secretary in supervising the work of the various bureaus and units assigned to that division, provide the expertise of their division to other divisions where appropriate, and perform other duties as assigned by the secretary.

**1.1(5)** The agricultural development authority is a semiautonomous agency functioning within the department to provide a beginning farmer loan program and other agricultural financing programs. The powers of the agricultural development authority are vested in a board of directors, and its rules appear at 25—Chapter 1, et seq., Iowa Administrative Code. The secretary appoints an executive director to supervise and direct the activities of the authority.

**1.1(6)** The grain indemnity fund board is an autonomous agency of which the secretary is president. The board operates in conjunction with the grain warehouse bureau of the department, determining and providing for payment of claims which arise as a result of the failure of a grain dealer or warehouse operator and administering the Iowa grain depositors and sellers indemnity fund. The rules for the board’s organization and operations and its procedures for resolving claims appear in 21—Chapters 63 and 64, Iowa Administrative Code.

**21—1.2(159) Administrative division.** In addition to the duties outlined in subrule 1.1(4), the director of the administrative division assists the secretary in the preparation and presentation of the department’s budget to the governor and the general assembly. The division provides personnel services and works with the secretary in the selection, hiring, and most phases of employment record keeping and processing relative to pay, benefits, employee status changes in relation to the department. The bureaus and units under the supervision of the administrative division are as follows:

**1.2(1) *Fiscal bureau.*** The fiscal bureau includes the following units:

*a. Accounting.* The accounting unit handles all accounting functions for the department, prepares payrolls, presents budget recommendations, and performs various other business functions including the paying of bills and vouchers.

*b. Central supply.* The central supply unit is responsible for maintaining adequate inventory of, and records on, supplies used by the various divisions, bureaus, and units within the department.

*c. Licensing.* The licensing unit supervises the preparation and distribution of licenses to various business establishments such as elevators and fertilizer plants, scales, gas pumps, milk routes and frozen foods which are required by law to be licensed by the department.

**1.2(2) *Audit bureau.*** The audit bureau analyzes reports filed by feed and fertilizer companies for fees paid to the feed and fertilizer trust funds of the department. It also makes audits to check for compliance with checkoff law for the commodity promotion boards.

**1.2(3) *Climatology bureau.*** This bureau collects data and keeps records on rainfall, snowfall, snowmelt, frost, and sun days, and prepares various reports including publishing maps showing data by region.

**1.2(4) *Apiary bureau.*** The apiary bureau, headed by the state apiarist, sponsors lectures, workshops, and demonstrations, and inspects the production, care, and health of bees and honey.

**1.2(5) *Agricultural statistics bureau.*** This bureau collects, prepares and publishes annual state farm census and other periodic research data, such as production figures, utilization of feed grains, grain stocks on hand, price variance, and marketing data on crops and livestock.

**1.2(6) *Dairy trade practices bureau.*** This bureau monitors the dairy trade practices of processors, distributors, retailers, and others to prevent the use of certain unfair practices in the production of milk and ice cream which would tend to lessen competition and create a monopoly.

**21—1.3(159) *Agricultural marketing division.*** In addition to the duties outlined in subrule 1.1(4), the director of the agricultural marketing division advises the secretary as to potential markets for agricultural products as to the need for promotional activity to enhance Iowa products in both domestic and foreign markets. The director also assists the secretary in working with the marketing boards of commodity groups to aid in more advantageous marketing of Iowa agricultural products. The agricultural marketing division performs the duties of the “farm commodity division” as designated in the Code of Iowa. The bureaus and units under the supervision of the agricultural marketing division are as follows:

**1.3(1) *Livestock/grain bureau.*** This bureau includes the following units:

*a. Livestock marketing.* This unit provides direction and support to the quality Iowa livestock industry and works with various livestock marketing and promotional groups.

*b. Grain marketing.* The grain marketing unit helps facilitate the promotion and marketing of quality Iowa grown grains and soybeans, and works closely with various grain marketing and promotional organizations.

*c. Market news.* The market news unit reports daily prices, volume receipts, and the movement of livestock, poultry, and agricultural products.

*d. International marketing.* This unit provides services to help stimulate interest in and demand for quality Iowa products. Included in this area are trade missions, trade shows, and hosting of foreign delegations. International communications services help provide assistance through the publication of materials such as the Agricultural Export Directory, country trade profiles and statistical reports. The unit’s staff works in close cooperation with other international trade efforts at the state and national level. The division oversees the supervision of the Iowa Agricultural Trade Center in the International Trade Center in cooperation with other farm organizations.

**1.3(2) *Sheep bureau.*** The sheep bureau promotes the consumption of lamb, the use of wool, the economic production and marketing of lamb and wool, and develops and promotes advanced technology in the selection of quality meat type progeny.

**1.3(3) *Horticulture/diversification bureau.*** This bureau includes the following units:

*a. Horticulture.* This unit lends direction, continuity, leadership, and administrative services and guidance to the Iowa horticulture industry.

*b. Economic development.* This program is geared to help Iowa farmers with fruit and vegetable sales by developing postharvest handling and marketing facilities around the state, with the goal of expanding new markets and generating new jobs in the state.

c. *Alternative crops and livestock.* This program complements the economic development program by helping determine market potential for alternative crops and livestock such as Christmas trees, nuts, fish, game birds, and small grains. The staff works with the agriculture departments in other states, other state departments, universities, and other sources of information.

d. *Farmers market development.* The goal of this program is to establish at least one full-time metropolitan farmers market in Iowa and to upgrade and develop the full potential of part-time markets around the state.

## **21—1.4(159) Agricultural planning and policy division.**

**1.4(1) *Scope of duties.*** In addition to the duties outlined in subrule 1.1(4), the director of the agricultural planning and policy division assists the secretary in overseeing policy analysis and planning on issues and programs of importance to the department, and provides planning, research, and administrative support services to the secretary, deputy secretary, and the entire department. The division is responsible for recommending policy initiatives and alternatives, and reviewing their possible impact on the department on the basis of analytical reviews. The division supervises and assists other divisions with long-range planning efforts and program developments, including assisting in the preparation and promulgation of administrative rules by any division of the department. The director reviews and analyzes proposed state and federal legislation which impacts agriculture, determines the impact of such proposals on current department policy, rules, and law, and directs the preparation of the department's position on issues related to agriculture. The director coordinates all of the department's external communications and supervises the information unit of the department.

**1.4(2) *Information unit.*** The information unit is staffed by information specialists who prepare informational material for the public benefit under the direction of the secretary. The information specialists prepare information for use through the media including the newspapers, radio, television, and magazines. Information specialists are also responsible for drafting of speech material and brochures and cooperate with other state agencies in disseminating agricultural information and education.

**21—1.5(159) Laboratory division.** In addition to the duties outlined in subrule 1.1(4), the director of the laboratory division advises the secretary of any activities and impending or potential problems that have come to the attention of laboratory personnel. The bureaus and laboratories under the supervision of the laboratory division are as follows:

**1.5(1) *Commercial fertilizer bureau.*** The commercial fertilizer bureau licenses and registers fertilizer plants and products; collects, compiles, and distributes data on plant food consumption; collects commercial fertilizer tonnage fees and groundwater protection fees; approves, inspects and regulates all anhydrous ammonia installations; and licenses, samples, evaluates and certifies all limestone quarries.

**1.5(2) *Commercial feed bureau.*** The commercial feed bureau registers feed mills and commercial feed manufacturing facilities, registers feed and stock tonic products, and collects commercial feed tonnage fees.

**1.5(3) *Medicated feed bureau.*** This bureau inspects medicated feed in accordance with food and drug administration rules and regulations.

**1.5(4) *Pesticide bureau.*** The pesticide bureau registers pesticide products, licenses and certifies pesticide applicators, establishes programs for best management practices of agricultural chemicals, monitors consumer products for pesticide residues, implements pesticide enforcement and certification programs of the environmental protection agency, and cooperates with the department of natural resources and other agencies.

**1.5(5) Seed and entomology bureau.** This bureau licenses establishments selling or distributing seeds that are sold for agricultural purposes; controls the movement of serious insect pests and plant diseases, including those under federal quarantine; inspects nurseries and conducts laboratory analyses through the laboratory unit within the bureau.

**1.5(6) Feed and fertilizer laboratory.** The feed and fertilizer laboratory analyzes feed and fertilizer samples of guaranteed analysis.

**1.5(7) Vitamin, drug and antibiotic laboratory.** The vitamin, drug and antibiotic laboratory analyzes livestock feed to ensure that it is manufactured and used in accordance with food and drug administration laws.

**1.5(8) Pesticide residue and formulation laboratory.** The pesticide residue and formulation laboratory analyzes samples collected from pesticide retail establishments; during use/misuse investigations, and from pesticide manufacturers to determine if pesticides have been used and produced properly.

**1.5(9) Food, meat, poultry and dairy laboratory.** The food, meat, and poultry and dairy laboratory analyzes samples to determine the composition of the product and substances added to determine wholesomeness and safety; certifies private dairy laboratories in the state and tests private water supplies for bacteria and nitrate content.

**1.5(10) Brucellosis laboratory.** The brucellosis laboratory analyzes livestock blood and milk samples for brucella abortus antigen in cooperation with federal veterinary services of the department of agriculture.

**21—1.6(159) Regulatory division.** In addition to the duties outlined in subrule 1.1(4), the director of the regulatory division advises the secretary of activities and any impending or potential problems that have come to the attention of the regulatory personnel and shall serve as a liaison between the department and the attorney general's office and other legal oriented agencies. The bureaus and units under the supervision of the regulatory division are as follows:

**1.6(1) Animal industry bureau.** The animal industry bureau is under the direction of the state veterinarian and consists of the following units:

*a. Animal health.* This unit conducts brucellosis, pseudorabies, and tuberculosis control and eradication programs; issues quarantines and approves premises for receiving animals of unknown health status for feeding or isolation while under quarantine; inspects and licenses cattle dealers, pig dealers, auction markets, hatcheries, and rendering plants; registers cattle brands; provides secretarial help, supplies and facilities for the board of veterinary medicine; maintains the capability to react to emergency situations; and maintains liaison with livestock producer groups.

*b. Animal welfare.* This unit licenses and regulates the humane care and handling and disease control in dogs, cats, and pet shop animals by those who sell, lease, or transfer these animals.

*c. Meat and poultry inspection.* Rescinded IAB 1/13/99, effective 2/17/99.

**1.6(2) Grain warehouse bureau.** This bureau licenses, inspects and examines grain warehouse facilities and reviews financial statements of licensees to ensure compliance with state licensing requirements including payment of fees into the grain indemnity fund. The bureau also reviews claims made against the fund and makes recommendations on those claims to the grain indemnity fund board, upon which the board takes action.

**1.6(3) Dairy products control bureau.** This bureau conducts a statewide program of dairy products control, and regulates all phases of production, processing, and manufacturing of Grade A and Grade B dairy foods (manufacturing milk), dairy food, milk and dairy products, and other by-products.

**1.6(4) *Horse and dog bureau.*** This bureau promotes the Iowa horse and dog breeding industry by registering qualified Iowa-foaled horses and Iowa-whelped dogs and working in cooperation with the racing industry. The bureau administers the payment of breeder awards to the breeders of qualified winning horses and dogs.

**1.6(5) *Weights and measures bureau.*** This bureau inspects and licenses for commercial use all weights and measures or weighing and measuring devices. It conducts petroleum products sampling and testing. Tests and certifies antifreeze. Conducts random package and labeling inspection of products offered for sale. It registers and licenses all service agencies and persons who service or repair commercial weighing and measuring devices. It approves or rejects all blueprints on new scale installations. It approves or rejects bonds for scale installation. The bureau maintains the state metrology laboratory, following the rules and regulations of the National Bureau of Standards; and using the weights and measures standards that are traceable to the National Bureau of Standards adjusts, certifies and seals weights and measures used by state inspectors, commercial repairers and private industry.

**1.6(6) *Meat and poultry inspection bureau.*** This bureau enforces and administers Iowa Code chapter 189A, meat and poultry inspection Act. It is a cooperative program with the United States Department of Agriculture. The program must maintain an "equal to" status with the federal Wholesome Meat and Poultry Products Inspection Acts. This bureau conducts inspections of facilities, animals, products, and labeling and exercises processing controls and reinspection of meat and poultry products for intrastate commerce.

**21—1.7(159) Soil conservation division.** In addition to the duties outlined in subrule 1.1(4), the director of the soil conservation division advises the secretary on soil and water conservation matters and works with the state soil conservation committee in the promulgation of rules relating to soil conservation. The division performs duties as designated in the Code of Iowa. The bureaus and units under the supervision of the soil conservation division are as follows:

**1.7(1) *Soil resources bureau.*** This bureau works to control erosion on all agricultural land, seeks to improve the availability and use of soil surveys, provides incentive programs for the establishment of land treatment measures, provides assistance and guidance to soil and water conservation districts, and carries out the Iowa soil 2000 program. The bureau includes the following units:

- a. Iowa financial incentive program.
- b. Field services.
- c. Soil survey.

**1.7(2) *Water resources bureau.*** This bureau works to preserve the public interest in the water resources of the state by developing and implementing management plans for the major river basins within Iowa, implementing a statewide program for nonpoint-source pollution control, coordinating various water resource projects and programs with appropriate local, state, and federal agencies, developing and implementing groundwater quality programs, and providing assistance and guidance to water resource districts. The bureau includes the following units:

- a. Agricultural energy management fund.
- b. Nonpoint-source pollution.
- c. Water resource districts.
- d. Groundwater quality program.
- e. Federal watershed program.
- f. Federal river basin program.

**1.7(3) *Mines and minerals bureau.*** This bureau provides for the rehabilitation and conservation of land affected by surface mining, carries out coal regulatory programs, and regulates limestone and gypsum quarries, sand and gravel pits, and other mineral extraction operations. The bureau consists of the following units:

- a. Coal regulatory.
- b. Abandoned mined land reclamation.
- c. Noncoal regulatory.

**21—1.8 and 1.9** Transferred to 21—2.1 and 21—2.2 IAB 7/27/88, effective 7/8/88.

**21—1.10** Rescinded IAB 7/27/88, effective 7/8/88.

**21—1.11** Rescinded IAB 7/27/88, effective 7/8/88.

**21—1.12** Rescinded IAB 7/27/88, effective 7/8/88.

These rules are intended to implement Iowa Code sections 17A.3 and 17A.4 and Iowa Code chapter 159.

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